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PART ONE

THE LEGISLATIVE PROCESS

OVERVIEW OF THE LEGISLATIVE PROCESS



The process of government by which bills are considered and laws enacted is commonly referred to as the "legislative process." Pursuant to the California Constitution, on the first Monday in December after the November general election, both Houses of the Legislature organize, elect officers and adopt rules for the upcoming two-year session. The two-year session, referred to as the biennial session, is organized based on a legislative calendar. In the first year of the two-year session (e.g., 2001) both Houses meet from January until mid-September and then recess until January of the even-numbered year. In the second year (e.g., 2002) the Legislature meets from the first week in January until it finally adjourns on November 30 of the even-numbered year.



The California Legislature is comprised of two houses: the Senate and Assembly. There are 40 Senators and 80 Assembly Members (Article IV, Sec. 2(a)). Based on current population data, each Assembly Member represents approximately 400,000 constituents; Senators represent 800,000 constituents.

The Assembly has 27 standing committees in the 2001–02 regular session, which considers legislation in a wide range of policy areas. Each committee is staffed by professional consultants who work closely with each Member to assist them in facilitating their legislative agenda. The Speaker's staff and other leadership staff also play a vital role in the legislative process.

Officers of the Assembly

There are several officers of the Assembly who work closely with the membership and their staff in facilitating the legislative process.

Speaker



The Speaker of the Assembly is the presiding officer of the Assembly and is elected for a two-year term by a majority vote of the Members. He or she is charged with the overall management and supervision of the Assembly. The Speaker appoints members to all committees and subcommittees of the Assembly, allocates funds, staffing and other resources for the effective operation of the House, and establishes the committee schedules (A.R. 26).

Speaker pro Tempore

The Speaker pro Tempore is appointed by the Speaker pursuant to Assembly Rules 1 and 28. This officer exercises the powers and duties assigned by the Speaker during his or her absence, including the responsibility of presiding over sessions of the Assembly and advising the Members on parliamentary procedures of the house.

Assistant Speaker pro Tempore

Appointed by the Speaker, the Assistant Speaker pro Tempore serves as presiding officer in the absence of the Speaker or Speaker pro Tempore.

Majority Leader

The Majority Floor Leader, selected by the Speaker, assists the Speaker in the conduct of business of the Assembly by making the appropriate motions and points of order that are necessary to expedite the proceedings of the Assembly.

Minority Leader

The Minority Leader is designated by a caucus of the minority members and acts as their representative on the floor of the Assembly. He or she also appoints the Vice Chair and 2 other minority party members to the Rules Committee.

Chief Clerk

The Chief Clerk is one of three nonmember officers that is elected by a majority vote of the Assembly. (The other two are Sergeant at Arms and the Chaplain.)

The Chief Clerk's primary responsibility is to serve as chief parliamentarian of the Assembly. In addition, the Chief Clerk and his or her staff is charged with recording, documenting and assisting the Assembly in processing all legislation at every stage of the process (A.R. 32).

Chief Sergeant at Arms



The Chief Sergeant at Arms' primary duty is the maintenance of order and preservation of decorum at the daily sessions of the Assembly. The Chief Sergeant at Arms is also a non-member officer who is elected by a majority vote of the Assembly (A.R. 1, A.R. 33).

The Sergeant at Arms and his or her assistants also provide a wide range of vital services for the Members of the Assembly, including providing security to Members and staff.

Assembly Rules Committee

The Assembly Rules Committee is the administrative committee of the Assembly. Pursuant to Assembly Rule 13, 8 Members serve on the Rules Committee: a chairperson (selected by the Speaker), a Vice Chairperson (appointed by the Minority Leader), and six other Members (four appointed by the Speaker, and two selected by the Minority Leader).

An important function of the committee is the initial assignment of bills to the appropriate standing committees. The Rules Committee also provides clerical assistance and office support services for Members of the Assembly (A.R. 14). The committee routinely meets to take-up requests for adding urgency clauses to bills or for rules suspensions on particular matters.

In many state legislatures, the rules committees perform only "housekeeping" functions. In California, both the Senate and Assembly Rules Committees may consider substantive legislation in the same manner as do the policy committees of the Legislature.



Rules Governing the Assembly

The proceedings of the Assembly are governed by the California Constitution, Assembly Rules (H.R. 1, adopted Dec. 4, 2000), Joint Rules (S.C.R. 1, 1997–98 Joint Rules, as usage and custom)*, statutes, and Mason's *Manual of Legislative Procedure*. Rules passed by a prior Legislature are not binding on a subsequent legislative body. However, in the absence of rules, the Assembly is governed by usage, custom, precedent and general parliamentary law (Mason's Sections 22, 29).

Regular and Extraordinary Sessions of the Legislature



As a result of a Constitutional Amendment adopted by the voters in 1972, the California Legislature now meets in a continuous two-year session, convening on the first Monday in December of the even-numbered year. These biennial sessions are denoted by two years separated by a hyphen (i.e., 2001–02 Regular Session).

In addition, the Governor may call the Legislature into session to act upon certain subjects that he or she feels deserves added or urgent attention, such as flood relief, etc. Such sessions are known as extraordinary or "special" sessions. On these occasions, the Legislature is limited to the consideration of the matters specified in the Governor's Proclamation (*Article IV, Sec. 3(b)*). Bills introduced in a special session are referred to with an "X" (e.g., AB 21X), and take effect 91 days after the final adjournment of that special session (*Article IV, Sec. 8(c)(1)*).

Generally, Regular session bills passed and signed into law ("enacted") in any given year (e.g., 2001) become effective on January 1 of the following year (e.g., Jan. 1, 2002) (*See Article IV, Sec. 8(c)(1), Sec. 8(c)(2), Sec. 10(c), and Sec. 10(d)*). Bills which are necessary for the preservation of the public peace, health or safety are called "urgency" measures, and take effect immediately upon being signed by the Governor (*Article IV, Sec. 8(c)(3), 8(d)*). Urgency bills can be introduced in regular or extraordinary sessions and must garner a two-thirds vote of each House to pass.

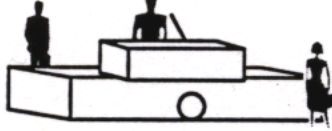


Bill Introduction & 30-Day Waiting Period

The legislative process begins with the introduction of bills. To introduce a bill, the Member instructs the Legislative Counsel to draft the measure and assign it a request number (RN). This draft is then put "across the Desk," meaning that the Member's staff delivers the measure to the Assembly Chamber, where it is given a bill number by the Chief Clerk. The clerk then sends the bill to be printed. Pursuant to the rules and the Constitution, bills must be in print for 30 days before any action or votes can be taken (this provision can be waived by 60 votes pursuant to Art. IV, Sec. 8(a) and J.R. 55). The Budget Bill is exempt from the waiting period.

Legislative deadlines govern virtually the entire process, including bill introductions, committee meetings, joint recesses, and bill passage from one house to the other. Most deadlines are established by Joint Rules 51 & 61, and can only be waived by a super majority vote (i.e., 54 votes). A bill may be introduced beyond the established deadline, subject to approval by the Speaker (*J.R. 54(a)*).

* The Joint Rules for the 1999–2000 Session were never adopted, and the 2001–02 Joint Rules have not yet been adopted at time of printing.



Three Readings of a Bill

The Constitution also requires that a bill's title be read three times on three separate days (Art. IV, Sec. 8(b)). The actual reading of the title is performed by the Reading Clerk. The initial introduction of a bill counts as its first reading. Second reading occurs as a procedural step when a bill is reported, with or without amendments, from committee to the Floor (see below). At the third reading stage, the bill is eligible for Floor debate and final passage by the entire membership.

In urgent cases, the three readings requirement and 30-day waiting period may be suspended by a super majority vote of the House (i.e., 54 and 60 votes, respectively) (*J.R. 55, Art. IV, Sec. 8(b)*).



Committee System and Double Referral

Once a bill is introduced and has been in-print for 30 days, a majority of the Rules Committee then refers it to a policy committee for a hearing. Some bills may be "double referred" to two policy committees if the subject matter lies within the jurisdiction of more than one committee (e.g., an AB could be referred to both Public Safety *and* Judiciary committees), pursuant to A.R. 51. If the bill fails passage in the first committee, it is "dead" and therefore cannot be heard by the second committee. Additionally, bills with fiscal impact must be heard by a fiscal committee prior to a floor vote.

There are 27 standing committees for the 2001-02 session. Established jurisdictional guidelines govern the referral of bills to committees (*Assembly Journal, 1/15/99, p. 220-227*). The Rules Committee may also serve as a policy committee by referring measures to itself.

Committee Reports and Second Reading

All bill actions taken by a committee are recorded by rollcall vote, and then reported to the house via committee report forms. A committee may take action on legislation in numerous ways. A committee may, among other things, propose the following: to pass a bill with amendments; pass a bill unchanged; hold a bill; "kill" (i.e., defeat) a bill; refer a bill to another committee; refer a bill to the floor without recommendation; amend a bill and re-refer the bill back to the same committee, etc. In any case, when a committee reports a bill out with or without amendments, the bill must be placed on second reading for the adoption, or ratification, of the committee's recommendation.

A bill reported out of committee to the floor with proposed amendments remains on the Second Reading File for two days before it is moved to the Third Reading File. If a bill is reported with a "do pass" recommendation (and no amendments or re-referral), then the bill would be on second reading for one day, and then move to the Third Reading File thereafter. Likewise, a bill that is to be amended and re-referred would appear on second reading for one day (for the adoption of the amendments), and would then drop-off file and be referred to the appropriate committee for further action. The Second Reading File is published at the front section of the *Daily File*, and committee report recommendations are recorded in the *Assembly Journal*.

THE COMMITTEE PROCESS

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Quorum Requirements



A quorum must be present for a committee to meet. A majority of the committee membership constitutes a quorum and the same number is required to pass a bill (*A.R. 57*).

Committee Rules

Committees may adopt their own rules of procedure, but such rules must be consistent with the House and Joint Rules (*Assembly Rule 55*).



Public Notice Requirements

FOUR DAY FILE NOTICE

Before a bill may be heard by the committee of **first reference**, a notice of such hearing must be published in the *Daily File* **four days** prior to the hearing, not including the day of the hearing (see *Joint Rule 62(a)*, *J.R. 60(b)*, *J.R. 36(a)(2)*, *J.R. 36(a)(4)*). Informational hearings require 4 days notice as well. Committee hearing notices are published at the front of the *Daily File*. Questions regarding the *Daily File* should be directed to the File Clerk or Assistant File Clerk, at 319-2358.

TWO DAY FILE NOTICE

A committee of **second reference** (a fiscal committee or second policy committee) needs **two days** prior notice published in the *Daily File* before hearing a bill. A committee hearing a bill for concurrence also requires a two day notice (*J.R. 26.5*, *J.R. 62(a)*).

These notice provisions are known collectively as the "*File Notice Requirement*," and can be waived by unanimous consent or a majority vote of the House (41 votes in an 80-member Assembly). Other provisions contained in *Joint Rule 62(a)* require a 2/3 floor vote for suspension.

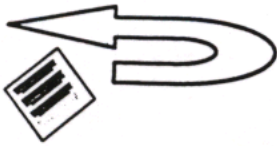
FILE NOTICE EXCEPTIONS

Extraordinary session bills, and all concurrent and house resolutions are exempt from the two and four day *File* notice requirements. Constitutional amendments and joint resolutions ratifying an amendment to the U.S. Constitution are treated as bills, and require proper notice prior to being heard in committee.

1-2-3-defeated

Three "Sets" for a Bill

A bill may be set for hearing only **three** times (*J.R. 62(a)*). This does not include "testimony-only" hearings or hearings postponed or adjourned by the committee. Additionally, a measure may not be set for hearing pending referral of the bill by the Rules Committee or any other committee (*Assembly Rule 56*).



Reconsideration: "One Last Chance"

"Reconsideration" is a motion to reverse the previous action and take another vote on a bill once it has failed or passed. Reconsideration is usually utilized in committee to allow another vote on a bill once it has failed passage.

A bill may be reconsidered only once after failing passage in committee, and the notice to reconsider must be made within 15 **legislative** days or prior to the interim recess, whichever comes first (*J.R. 62(a)*). The exception is that a bill can be reconsidered the same day as the original vote provided that the author is present and a majority of the committee agrees. If reconsideration is invoked in committee on the same day as the original vote, notice is not required. (Note: on the Floor, reconsideration is "noticed" for the next legislative day.)



Fiscal Committees

Bills are referred to a fiscal committee when they appropriate money, result in a substantial expenditure of state money, or result in a substantial loss of revenue to the state.

A fiscal bill is denoted in the last line of its Legislative Counsel's Digest as "fiscal committee: yes." Bills that did not originally have a fiscal impact, but later become fiscal as a result of amendments are re-referred to a fiscal committee, even if they are on the Third Reading File (*J.R. 10.5*).

Consent Calendar

Pursuant to J.R. 22.1, noncontroversial bills may reported to the floor with the recommendation that they be placed upon the consent calendar (e.g., "Do pass. To Consent Calendar.") These uncontested measures must comply with the restrictions imposed under the Joint Rules (e.g., tax levies may not be placed on the consent calendar.) Additionally, these bills must have received no "no" votes and had no opposition expressed by any person present at the committee hearing.

After their second reading, these uncontested bills are placed on the "Consent Calendar—First Legislative Day" for one day, and are then placed upon the "Consent Calendar—Second Legislative Day," at which point they become eligible for passage. Bills listed on the second day consent calendar are voted on without debate with one rollcall vote. Any Member may unilaterally remove a bill from the first or second day consent calendars. Once removed from consent, the bills are placed at the foot of the third reading file for the next legislative day (see *Joint Rules 22.1, 22.2, 22.3*).

ASSEMBLY FLOOR PROCEDURES



Quorum Requirement

The Assembly can conduct business only when a quorum is present. The Constitution defines a quorum as a majority of the membership of the House; therefore, a quorum is 41 members, regardless of whether there are any vacancies in the 80-member Assembly (*Art. IV, Sec. 7(a)*).

Voting Requirements



41 AND 54 VOTE BILLS

Most bills require a simple majority vote (41) for passage (*Art. IV, Sec. 8(b)*). However, there are several instances where a two-thirds vote (54) is required:

- most appropriations;
- urgency measures;
- amending the Lottery Act, Prop. 103, Political Reform Act of 1974 (FPPC), or the "Three Strikes Law";
- suspending Prop. 98;
- overriding the Governor's veto;
- adopting Constitutional Amendments (ACA's and SCA's);
- suspending some Joint Rules.

OTHER VOTE THRESHOLDS

Pursuant to Assembly Rule 8, amending an Assembly Rule requires a majority vote of the duly elected and qualified Members (e.g., 40 votes in a 79-member house). Assembly Rule 7 provides for suspending an Assembly Rule, which takes a majority vote of the Members (e.g., 40 votes in a 79-member house). However, A.R. 7 also provides for the suspension of rules requiring two-thirds of those present and voting in specified instances.

SUPER-MAJORITY VOTES

There are a few instances that require a super-majority vote (60 or 64), but these scenarios are limited to parliamentary situations that involve the suspension of specific rules, suspending certain Propositions, or dispensing with specified Constitutional provisions.

Assembly Order of Business

Assembly floor sessions have long followed a predetermined order of business, detailed on the first page of the *Assembly Daily File* (*A.R. 40, A.R. 63*). Session commences with an oral attendance roll call, and progresses through business on the *Daily File*, and ends with adjournment. Any variation from this order must be approved by unanimous consent, or requires a majority vote of the Members to suspend the "Orders of the Day" under Assembly Rule 40. The exception is that the Speaker may allow adjournment memorials and members' resolutions to be taken-up in a different order if necessary (*A.R. 40(b)*). Skipping, passing and retaining, or taking-up bills out of order on the *Daily File* requires unanimous consent or two-thirds of those present (*A.R. 63*).

Making Motions on the Floor



BASIC MOTIONS

The proper point at which to make basic motions is under "Motions and Resolutions," which is one of the first orders of business after the prayer and pledge of allegiance. Generally, basic "housekeeping" motions are made during this time, such as: re-referring recently amended bills from one committee to another; requesting File notice waivers; noticing intent to remove a bill from Inactive File; printing letters of intent in the Journal; introducing special guests; and memorializing deceased community leaders.

RECOGNITION

When a Member wishes to address the Assembly, he or she must raise the microphone at his or her desk, and then wait for the Presiding Officer to "recognize" the Member. The Presiding Officer will ask the Member "For what purpose do you seek recognition?" at which time the Member should state his or her purpose for rising. (Members not duly recognized by the Presiding Officer are considered out-of-order.)

NO WORDS SPOKEN PRIOR TO MOTIONS

When a Member wishes to make a motion, he or she may not speak prior to making the motion, or immediately after. For example, if a Member wishes to re-refer a bill to committee, no editorial comments or arguments may be made prior to making the motion to re-refer. The motion should be made as follows: "Mr./Mme. Speaker, I move to refer Assembly Bill 5000 to Appropriations Committee." Once a motion is made and seconded, the presiding officer will inform the Member that he or she may open on his or her motion (if the motion is debatable). When debate has ended, the maker of the motion closes and then a vote is taken on the motion.

When making a motion to end debate ("moving the previous question"), only Members that have not previously spoken on the question are eligible to move the previous question.

Motions: Vote Thresholds

(Based upon HR 1 (2001-02) and SCR 1 (1997-98) as usage and custom)

MOTIONS GRANTED BY 41 VOTES

- Motion to reconsider any bill, resolution, amendment, or motion (A.R. 100(a))
- Motion to immediately reconsider a bill (A.R. 100(c))
- Motion to re-refer a bill to another committee; or from the Daily File to a committee (A.R. 96(a), A.R. 97)
- Motion to withdraw a bill from committee (requires Rules Cmte. approval first) (A.R. 96(b))
- Motion to strike a bill (e.g., vetoed bill) from the File (A.R. 98)
- Motion to rescind an action or expunge the record (A.R. 99)
- Motion to postpone indefinitely (A.R. 90)
- Motion to amend bill on the last 2 legislative days preceding Jan. 31 bill deadline in 2002. (A.R. 69(e))

(more)

MOTIONS CARRIED BY A MAJORITY VOTE OF MEMBERS *

- Bringing up a bill without reference to *File* ("WOLF" motion)
- Motion to suspend specified Assembly Rules (A.R. 7)
- Suspending the orders of the day (A.R. 40)

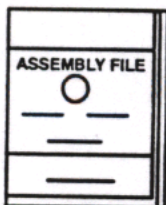
* Threshold varies based upon the number of members currently serving (e.g., 40 votes in a 79-member house)

MOTIONS CARRIED BY A MAJORITY OF THOSE PRESENT AND VOTING

- Motion to take-up on the same day a motion to reconsider a resolution, amendment, or motion (A.R. 100(c))
- Adoption of amendments (A.R. 69(a))
- Laying an amendment on the table (A.R. 86)
- Continuing motion(s) to reconsider until the next legislative day (A.R. 100(e))
- Immediate transmittal or ordering bill returned to the Senate
- Appealing the decision of the Chair (A.R. 82)
- Moving, dispensing, or continuing a call of the Assembly (A.R. 101)

MOTIONS CARRIED BY TWO-THIRDS OF THOSE PRESENT & VOTING

- To pass-over a bill on File (i.e., pass on file, pass and retain, pass temporarily, "skip around" the File) (A.R. 63)
- Motion to amend a bill during the last 3 legislative days preceding the commencement of Interim Recess (mid-September 2001) or Final Recess (August 31, 2002). (A.R. 69(e))



Business on The Daily File

(See page 20 for more detailed information on the Daily File)

ASSEMBLY AGENDA

The *Daily File* is the official agenda for each session. This booklet is published by the File Clerk and Assistant File Clerk, under the direction of the Chief Clerk. The *File* is printed each legislative day and includes all the bills eligible for floor action. A list of committee hearings, various tables, schedules, and committee memberships are also included in this booklet.

FLOOR SESSIONS AND CHECK-IN SESSIONS

The *Daily File* is published each legislative day, including "Floor Session" days and "Check-in Session" days. A check-in session is a day upon which a quorum is present, but Members are not taking-up business on the *Daily File*. Usually, Members are participating in committee hearings and conducting other legislative business in the Capitol. Since a quorum is present, day-to-day business at the Assembly Desk can be transacted, such as amending bills on second reading, processing committee reports, etc.) (See page 19 for important attendance information on check-in session days).

(more)

ITEM NUMBERS

Each measure listed in the *File* will have a corresponding Item Number which changes from day to day. Pursuant to the rules, all bills must be called upon in the order of their listing in the *Daily File* (see *Assembly Rules 58, 63, and 66*).

ORDER OF BUSINESS ON THE DAILY FILE

Items on *File* are listed in the following order: Special Orders, Second Reading, Unfinished Business, Third Reading, Consent Calendar, Bills in Conference, and Inactive File.

"SKIPPING AROUND" THE FILE

If a Member wishes to take up a bill out of order on the *File*, he or she must first seek unanimous consent of the body to go to that item number. The request should be stated as follows: "*Mr./Mme. Speaker, I request unanimous consent to move to File Item Number ____.*" If another Member objects ("withholds unanimous consent"), it requires a suspension of A.R. 63 (two-thirds present and voting).

ADDRESSING BILLS NOT LISTED ON FILE ("WORF")

Bills not listed on the *Daily File* can only be taken-up with unanimous consent or by suspending the rules. This process is referred to as "**taking-up a bill without reference to File (WORF)**" A vote of a majority of the members (e.g., 40 members in a 79-member house) is required to take-up such a bill.

Amending Bills on the Daily File

AMENDMENTS DUE TO THE DESK BY 5 P.M. THE DAY BEFORE SESSION

Assembly Rule 69 governs the amendment of bills from the Floor. Measures on the Second or Third Reading Files may be amended on the Floor if the proposed amendments are submitted to the Assembly Desk by 5 p.m. the business day prior to the scheduled commencement of session. This provision can be suspended by a majority vote of the members (A.R. 7, A.R. 69(b)(1)).

A copy of the amendments and an analysis are distributed prior to the beginning of debate on the proposed amendments. Analyses may be waived by the Speaker at his or her discretion (A.R. 69(b)(2)). After debate the amendments may be adopted by unanimous consent or a majority of those present and voting. The bill is then ordered reprinted, and retains its place on file for the next legislative day.

ONE DAY WAITING PERIOD FOR AMENDED BILLS
(Urgency Amendments and Budget Trailer Bills Exempted)

The newly amended bill must remain on File for one calendar day before it is eligible to be voted on for passage. However, if the bill is amended by simply adding or deleting an urgency clause, or to make statutory changes to the Budget Bill, then the one day waiting period does not apply (A.R. 69(d)).

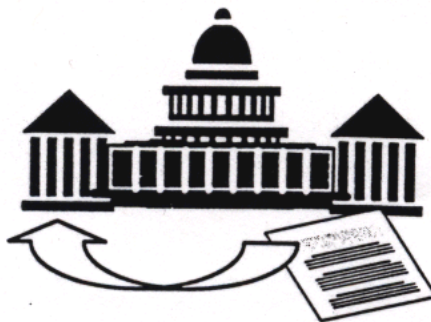
FLOOR AMENDMENTS PROHIBITED NEAR SPECIFIED DEADLINES

Bills may not be amended on the Floor on the last 3 days prior to the scheduled commencement of Interim or Final Recess (rule may be suspended by two-thirds present and voting) or on the last 2 days preceding the January 31 bill passage deadline for "two-year bills" (rule may be suspended by 41 votes). (A.R. 69(e))

EXEMPTIONS

House Resolutions, Concurrent Resolutions, and Joint Resolutions are exempted from the provisions of these rules, but Constitutional Amendments must adhere to the above guidelines.

CONCURRENCE IN SENATE AMENDMENTS



Bills that are amended in the other House must be returned to the House of origin for acceptance or rejection (i.e., "concurrence" or "non-concurrence") of amendments adopted in the other House. For instance, an **Assembly Bill** amended in the Senate is returned to the Assembly for concurrence in Senate amendments. Concurrence items are placed on the Assembly Unfinished Business File. The Assembly then has two options: concur or non-concur in Senate amendments.

ONE DAY WAITING PERIOD

A vote on concurrence is not in order until the bill has been on the Unfinished Business File for one calendar day (*Assembly Rule 77*). Resolutions are exempt from the one day waiting period.

If amendments are concurred in, the measure is enrolled (see page 15), and then sent to the Governor for his or her signature or veto. In the event the House non-concurs, the Speaker and the Senate Rules Committee appoint a six-member conference committee (three from each House) from their respective Houses (*see information under "Non-Concurrence: Conference Committees" heading below*).

SUBSTANTIALLY AMENDED BILLS

When an Assembly Bill has been substantially amended in the Senate, and is pending concurrence in Senate amendments, the Speaker has the authority to refer such a "gutted" bill (i.e., substantially different bill) to the appropriate committee for further action (*see Joint Rule 26.5 and Assembly Rule 77.2*). Also, the House can re-refer a "gutted bill" to a committee with 41 votes (*Assembly Rule 97*).

Non-Concurrence: Conference Committees

APPOINTING CONFEREES

The Assembly Speaker and the Senate Rules Committee each appoint three Members from their respective Houses to serve on a Conference Committee. The three conferees from each House include two Members selected from those voting with the "majority" (larger vote) and one from the "minority" (smaller vote). If there is no majority or minority, any Member may be appointed as a conferee (*see Joint Rule 28.1*). The first-named conferee of the bill's House of origin serves as the Chair of the Conference Committee.

PUBLIC NOTICE

All conference committee meetings must be open and readily accessible to the public. The chairperson arranges the time and place of the conference committee meetings. The conference committee chair shall give notice to the *File Clerk* in both Houses of the time and place of such meetings. Except for the Budget Bill, notice of each meeting shall be published in the *File one day prior to the meeting* (see *Joint Rule 29.5*).

APPROVAL OF A CONFERENCE REPORT

Any amendments may be adopted in conference with a majority of those present and voting, with each House's conferees voting as a separate "committee." Also, two Members from **each** House must agree on the final report by signing and submitting it to both Houses. Once the report is signed and submitted by the conferees, it **cannot** be amended. If the conferees decide not to change the bill (recommend concurrence in amendments), reprinting of the bill is not required, but the one day *File* notice applies.

A conference report is not in order unless it is received at the Desk at least **three calendar days** prior to the Summer, Interim, or Final Recesses of the Legislature, not including the day the report is received. This is the only conference rule that can be suspended by a two-thirds vote in *either* House. In other cases, a two-thirds vote is required in *both* Houses (see *Joint Rules 28, 28.1, 29, 29.5, and 30*).

PROVISIONS MUST HAVE BEEN HEARD BY A STANDING COMMITTEE

Except for the Budget Bill, no conference committee shall approve policy or fiscal provisions that have not been heard by the policy or fiscal committee of each House.

REPORT MUST BE IN PRINT FOR TWO DAYS BEFORE FLOOR VOTE

In addition, no conference report may be heard by the Assembly until it has been in print for two calendar days and noticed in the *Daily File* for at least one legislative day (see *Joint Rule 30, Assembly Rule 68.8*).

CONSIDERATION OF BILLS BY GOVERNOR



Enrollment of Bills

Bills are "ordered to enrollment" once they have passed both Houses. Enrollment is a process whereby the final version of the bill is printed and proofread to ensure that all the language in the document reflects the final action by the body. The process culminates in the actual delivery of the bill to the Governor's Office.

Signing Period and When Bills Take Effect

If the Governor signs a bill, it generally becomes law the next January 1st following the year in which it was passed. Urgency measures take effect immediately, whereas special session bills take effect 91 days after the final adjournment of that special session (*Art. IV, Sec. 8(c)(1)*).

The Governor has 12 days to consider legislation. Pursuant to the Constitution, any bill that is not vetoed (returned) by the Governor after 12 days becomes a statute without the Governor's signature. The exception to this provision occurs at the end of each year of the legislative session, when the Governor is allowed 30 days to consider bills passed by the adjournment deadline of the Legislature (*Article IV, Sec. 10(b)(1), Sec. 10(b)(2)*).



Veto

The Governor may veto a bill by returning it to the House of origin without his or her signature. A letter explaining the Governor's objections to the bill is printed in the *Journal* and *File* of the House from which the legislation originated.

Overriding the Governor's Veto

When legislation is vetoed, the bill number and the accompanying veto message will be printed in the *Daily File* for consideration by the House. Each vetoed bill shall remain on the *File* for no more than **60 calendar days** from the day the bill was returned by the Governor (*see Joint Rule 58.5*). After the 60 days has expired, the Legislature can no longer override the veto. A veto override must begin in the bill's House of origin.

If two-thirds of the membership of both Houses vote to enact the vetoed bill, the legislation becomes law without the Governor's signature (*see Article IV, Sec. 10(a)*).